

## § 270.61

RCRA permit, complies with 40 CFR 270.14(d).

(c) *Publicly owned treatment works.* The owner or operator of a POTW which accepts for treatment hazardous waste, if the owner or operator:

- (1) Has an NPDES permit;
- (2) Complies with the conditions of that permit; and
- (3) Complies with the following regulations:
  - (i) 40 CFR 264.11, Identification number;
  - (ii) 40 CFR 264.71, Use of manifest system;
  - (iii) 40 CFR 264.72, Manifest discrepancies;
  - (iv) 40 CFR 264.73(a) and (b)(1), Operating record;
  - (v) 40 CFR 264.75, Biennial report;
  - (vi) 40 CFR 264.76, Unmanifested waste report; and
  - (vii) For NPDES permits issued after November 8, 1984, 40 CFR 264.101.
- (4) If the waste meets all Federal, State, and local pretreatment requirements which would be applicable to the waste if it were being discharged into the POTW through a sewer, pipe, or similar conveyance.

[48 FR 14228, Apr. 1, 1983, as amended at 50 FR 28752, July 15, 1985; 52 FR 45799, Dec. 1, 1987]

## § 270.61 Emergency permits.

(a) Notwithstanding any other provision of this part or part 124, in the event the Director finds an imminent and substantial endangerment to human health or the environment the Director may issue a temporary emergency permit: (1) To a non-permitted facility to allow treatment, storage, or disposal of hazardous waste or (2) to a permitted facility to allow treatment, storage, or disposal of a hazardous waste not covered by an effective permit.

(b) This emergency permit:

- (1) May be oral or written. If oral, it shall be followed in five days by a written emergency permit;
- (2) Shall not exceed 90 days in duration;
- (3) Shall clearly specify the hazardous wastes to be received, and the manner and location of their treatment, storage, or disposal;

## 40 CFR Ch. I (7-1-00 Edition)

(4) May be terminated by the Director at any time without process if he or she determines that termination is appropriate to protect human health and the environment;

(5) Shall be accompanied by a public notice published under § 124.10(b) including:

- (i) Name and address of the office granting the emergency authorization;
- (ii) Name and location of the permitted HWM facility;
- (iii) A brief description of the wastes involved;
- (iv) A brief description of the action authorized and reasons for authorizing it; and
- (v) Duration of the emergency permit; and

(6) Shall incorporate, to the extent possible and not inconsistent with the emergency situation, all applicable requirements of this part and 40 CFR parts 264 and 266.

[48 FR 14228, Apr. 1, 1983, as amended at 48 FR 30114, June 30, 1983; 60 FR 63433, Dec. 11, 1996]

## § 270.62 Hazardous waste incinerator permits.

When an owner or operator demonstrates compliance with the air emission standards and limitations in 40 CFR part 63, subpart EEE (*i.e.*, by conducting a comprehensive performance test and submitting a Notification of Compliance), the requirements of this section do not apply. Nevertheless, the Director may apply the provisions of this section, on a case-by-case basis, for purposes of information collection in accordance with §§ 270.10(k) and 270.32(b)(2).

(a) For the purposes of determining operational readiness following completion of physical construction, the Director must establish permit conditions, including but not limited to allowable waste feeds and operating conditions, in the permit to a new hazardous waste incinerator. These permit conditions will be effective for the minimum time required to bring the incinerator to a point of operational readiness to conduct a trial burn, not to exceed 720 hours operating time for treatment of hazardous waste. The Director